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U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

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DOCKET NO. 1598

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY - 3 2005

FILED
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BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE EPHEDRA PRODUCTS LIABILITY LITIGATION

Robert Bishop, et al. v. Metabolife International, Inc., et al.,

D. Maryland, C.A. No. 1:05-849

Darryl Kroeger, et al. v. Rexall Sundown, Inc., et al., D. Nebraska, C.A. No. 8:05-121

Bertwin Martin v. RS Oldco, Inc., et al., D. Virgin Islands, C.A. No. 1:05-26

8:05CV121.

CONDITIONAL TRANSFER ORDER (CTO-18)

On April 13, 2004, the Panel transferred 14 civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 296 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jed S. Rakoff.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Southern District of New York and assigned to Judge Rakoff.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of April 13, 2004, 314 F.Supp. 2d 1373 (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable Jed S. Rakoff.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

MAY 19 2005

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

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MULTIDISTRICT LITIGATION

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